

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Present Application:

Applicants : Hui Cen et al.
Title : HUMAN FGF GENE AND GENE EXPRESSION PRODUCTS
Docket No. : PP-01421.103 / 200130.401D1
Date : April 17, 2001

Prior Application:

Examiner : Sharon L. Turner, Ph.D.
Art Unit : 1647
Application No. : 09/264,851

Box Patent Application
Commissioner for Patents
Washington, DC 20231

PRELIMINARY AMENDMENT

Commissioner for Patents:

Please amend the above-identified application as follows:

In the Specification:

Amend the specification by inserting a new section before the "Technical Field" as follows:

-- CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a divisional of pending United States Patent Application No. 09/264,851 filed March 8, 1999; which application claims priority from United States Patent Application No. 60/077,411 filed March 9, 1998 and 60/083,553 filed April 29, 1998, which are incorporated by reference herein in their entirety. --

In the Claims:

Please cancel claims 1-22 without prejudice.

Please add the following claims:

--23. A method for providing trophic support for cells *ex vivo* comprising administering to neuronal cells from a patient suffering from a condition capable of treatment with a neurotrophic factor a composition comprising an isolated polypeptide consisting of a polypeptide encoded by SEQ ID NO:4.

24. The method of claim 23 wherein the patient suffers from a condition selected from the group consisting of peripheral neuropathy, amyotrophic lateral sclerosis, Alzheimer's disease, Parkinson's disease, Huntington's disease, ischemic stroke, brain injury, acute spinal cord injury, nervous system tumors, multiple sclerosis, infection, dementia, epilepsy, and peripheral nerve injury.

25. The method of claim 24 wherein the condition is Parkinson's disease.

26. The method of claim 24 wherein the condition is Alzheimer's disease.

27. The method of claim 24 wherein the condition is stroke.

28. The method of claim 24 wherein the condition is brain injury.

29. The method of claim 24 wherein the condition is spinal cord injury.

30. A method of increasing the number of mammalian neuronal progenitor cells *in vitro*, said method comprising obtaining hippocampal cells from a mammalian brain and growing said cells in the presence of FGF 98 at a concentration and for a time that results in an increase in neuronal precursor cells compared to mammalian neuronal progenitor cells grown in the absence of FGF 98.

31. The method of claim 30, wherein said concentration is 200 ng/ml.

32. The method of claim 30, wherein said time is 6 days.--

REMARKS

Applicants respectfully request consideration of the application based on the above amendments and the following remarks. Claims 23-32 are now pending in this application. Claims 23-29 correspond to claims 11 and 14-19, which the Examiner stated were drawn to a non-elected invention in Application Serial No. 09/264,851. Claims 30-32 correspond to claims 23-25 which were submitted in a Preliminary Amendment on May 5, 2000 but were not entered. No new matter is added. Applicants submit that as these claims all pertain to treatment of neural cells outside the body, using the polypeptides of the invention, they can be examined as one group.

On the basis of the above amendment and remarks, consideration of the application and its allowance are respectfully requested. Should the Examiner have any addition questions, he is respectfully encouraged to contact the undersigned attorney at (206) 622-4900.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE.**"

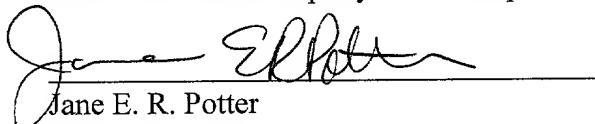


00500

PATENT TRADEMARK OFFICE

Respectfully submitted,

Seed Intellectual Property Law Group PLLC


Jane E. R. Potter

Registration No. 33,332

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

The following paragraph was added:

CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a divisional of pending United States Patent Application No. 09/264,851 filed March 8, 1999; which application claims priority from United States Patent Application No. 60/077,411 filed March 9, 1998 and 60/083,553 filed April 29, 1998, which are incorporated by reference herein in their entirety.

In the claims:

Claims 1-22 were cancelled.

Claims 23-32 were added:

23. A method for providing trophic support for cells *ex vivo* comprising administering to neuronal cells from a patient suffering from a condition capable of treatment with a neurotrophic factor a composition comprising an isolated polypeptide consisting of a polypeptide encoded by SEQ ID NO:4.

24. The method of claim 23 wherein the patient suffers from a condition selected from the group consisting of peripheral neuropathy, amyotrophic lateral sclerosis, Alzheimer's disease, Parkinson's disease, Huntington's disease, ischemic stroke, brain injury, acute spinal cord injury, nervous system tumors, multiple sclerosis, infection, dementia, epilepsy, and peripheral nerve injury.

25. The method of claim 24 wherein the condition is Parkinson's disease.

26. The method of claim 24 wherein the condition is Alzheimer's disease.

27. The method of claim 24 wherein the condition is stroke.

28. The method of claim 24 wherein the condition is brain injury.

29. The method of claim 24 wherein the condition is spinal cord injury.

30. A method of increasing the number of mammalian neuronal progenitor cells *in vitro*, said method comprising obtaining hippocampal cells from a mammalian brain and growing said cells in the presence of FGF 98 at a concentration and for a time that results in an increase in neuronal precursor cells compared to mammalian neuronal progenitor cells grown in the absence of FGF 98.

31. The method of claim 30, wherein said concentration is 200 ng/ml.

32. The method of claim 30, wherein said time is 6 days.